

## **REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In the specification, the paragraph at page 1, lines 22-26 has been amended.

Claims 1 and 7 are requested to be cancelled without prejudice or disclaimer.

Claims 2-5 are currently being amended. The amendments to claims 3-5 are to put these claims in independent form without changing their scope.

Claims 8-13 are withdrawn from consideration.

This amendment changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 2-6 and 8-13 are now pending in this application, of which claims 8-13 are withdrawn from consideration

### ***Drawings***

The Office Action indicated that Figures 7 and 8 should be designated by a legend such as --Prior Art --. Applicant has amended Figures 7 and 8 to label them as "PRIOR ART", thus overcoming any objection to these Figures.

### ***Specification***

The disclosure was objected to for informalities. Applicant has amended the specification as suggested by the Examiner and submits that the objection has been overcome.

### ***Allowable subject matter***

Applicant appreciates the indication that claim 5 contains allowable subject matter. Applicant has amended claim 5 to be in independent, and thus allowable, form.

***Rejection under 35 U.S.C. § 112, second paragraph***

Claim 7 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite. This rejection is moot in light of the cancellation of claim 7.

***Rejection under 35 U.S.C. § 101***

Claim 7 stands rejected under 35 U.S.C. § 101. This rejection is moot in light of the cancellation of claim 7.

***Rejections under 35 U.S.C. § 102***

Claims 1, 4, 6 and 7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JP 05-206095 (hereafter “JP ‘095”). Claims 1, 2 and 7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2001/0013355 to Busnaina (hereafter “Busnaina”). Claims 1, 3 and 7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2001/0166569 to Harvey et al. (hereafter “Harvey”). This rejection is moot with respect to claims 1 and 7, which have been cancelled. With respect to claims 2-4 and 6, applicant respectfully traverses these rejections for at least the following reasons.

***Claim 2***

Claim 2 has been amended to be in independent form, and further to recite that the plurality of oscillation sources are disposed in a uniformly dispersed manner. In rejecting claim 2, the Office Action relies on Busnaina. Busnaina, however, does not disclose a plurality of oscillation sources disposed in a uniformly dispersed manner.

Busnaina discloses in Figure 8 an array of transducers 210a' and openings 211 between some of the individual transducers (page 3, paragraph [0034]). The Office Action appears to equate this array of transducers 210a' and openings 211 with the plurality of oscillation sources disposed in a dispersed manner as claimed.

The individual transducers of Busnaina, however, are not disposed in a uniformly dispersed manner. Busnaina only discloses that the openings 211 are between some of the individual transducers, and the transducers 210a' appear to be grouped together by twos. Thus, Busnaina does not disclose the invention as claimed in claim 2. Moreover, Busnaina

does not realize the advantages of uniform dispersal of the plurality of oscillation sources. Dispersal of the plurality of oscillation sources improves the consistency of the radiated ultrasonic waves within a plane (see instant specification, page 5, lines 9-10). Busnaina does not realize this advantage.

Claim 7 depends from claim 2 and is thus likewise allowable.

***Claim 3***

Claim 3 has been amended to be in independent form. In rejecting claim 3, the Office Action relies on Harvey. Harvey, however, is not prior art to the claims of the present application. The present application claims priority to Japanese foreign priority document JP 2001-016964 filed on January 25, 2001, before the filing date of Harvey. Applicants reserve the right to file a certified English translation of JP 2001-016964, if necessary, to perfect their right to priority.

***Claim 4***

Claim 4 recites “propagation control apparatus for scattering or damping ultrasonic waves originating from the ultrasonic oscillator.” JP ‘095 fails to disclose at least this feature of claim 4.

JP ‘095 discloses that the nozzles 94 and 95 work as a bubble removing apparatus by flowing fluid in one direction along the rear surface of the wafer 2 and pull out the upcoming bubbles in the fluid and bubbles attached to the rear surface of the wafer (see JP ‘095, paragraphs 0023 and 0024, FIG. 1). JP ‘095, however, fails to disclose or suggest a “propagation control apparatus for scattering or damping ultrasonic waves originating from the ultrasonic oscillator” as recited in claim 4. Thus, JP ‘095 fails to anticipate claim 4.

Claim 6 depends from claim 4 and is patentable for at least the same reasons as well as for further patentable features recited therein.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 30, 2004 By Thomas G. Bilodeau

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**Amendments to the Drawings:**

The drawing sheet attached in connection with the above-identified application containing Figures 6-8 are being presented as a new formal drawing sheet or sheets to be substituted for the previously submitted drawing sheet. The drawing figures 7 and 8 have been amended. Appended to this amendment is an annotated copy of the previous drawing sheet which has been marked to show changes presented in the replacement sheet of the drawing.

The specific changes which have been made to Figures 7-8 are to incorporate the legend "PRIOR ART".



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Fig. 6

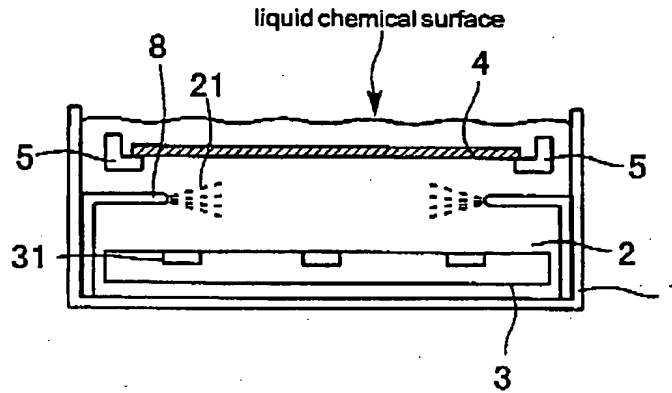


Fig. 7  
PRIOR ART

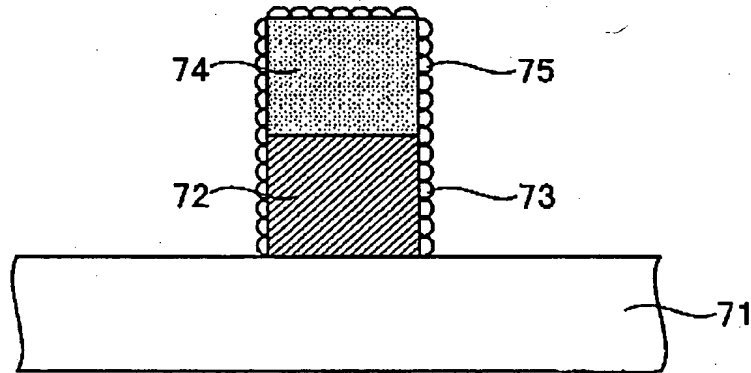


Fig. 8  
PRIOR ART

